



Nez Perce

TRIBAL EXECUTIVE COMMITTEE

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**CONFIDENTIAL INFORMATION – SUBJECT TO PROTECTIVE ORDER IN WC DOCKET NO. -
09-197, WT DOCKET NO. 10-208 BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

February 5, 2013

TO: Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Karen Majcher
Vice President, High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street NW, Suite 200
Washington, DC 20036

RE: Nez Perce Tribe Petition for Eligible Telecommunications Provider status -REDACTED – FOR
PUBLIC INSPECTION

Enclosed is the Nez Perce Tribe's Petition for consideration as an Eligible Telecommunications Carrier being filed in Redacted for Public Inspection form per the Protective Order in WC Docket No. 09-197, WT Docket No. 10-208 before the Federal Communications Commission adopted January 22, 2013 by the Associate Chief, Wireless Telecommunications Bureau and Deputy Chief, Wireline Competition Bureau.

If there are questions or additional information needs contact Danae Wilson, Department of Technology Services Manager at 208-843-7307 ext. 1 or danaew@nezperce.org.

Signed,

Silas Whitman
Chairman

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REDACTED - FOR PUBLIC INSPECTION



Nez Perce

TRIBAL EXECUTIVE COMMITTEE

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December 12, 2012


TO: Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Karen Majcher
Vice President, High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street NW, Suite 200
Washington, DC 20036

RE: Nez Perce Tribe Petition for Eligible Telecommunications Provider status

Enclosed is the Nez Perce Tribe's Petition (original and 4 copies) for consideration as an Eligible Telecommunications Carrier. If there are questions or additional information needs contact Danae Wilson, Department of Technology Manager 208-843-7307 ext. 1 or danaew@nezperce.org.

Signed,


for Silas Whitman
Chairman

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Before the

Federal Communication Commission

Washington, DC

In the Matter of)

Petition of Nez Perce Tribe Department of Technology Services for) Docket No: 09-197
Designation as an Eligible Telecommunications) Docket No: 10-208
Carrier pursuant to Section 214(e)(6) of the)
Communications Act of 1934, as Amended

**PETITION OF NEZ PERCE TRIBE DEPARTMENT OF TECHNOLOGY SERVICES FOR
DEISGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER ACROSS THE NEZ
PERCE TRIBE RESERVATION**

Nez Perce Tribe Department of Technology Services (NPT-DTS Wireless), a newly established telecommunications service provider within the exterior boundaries of the 1863 Nez Perce Reservation, Treaty with the Nez Perce's, 14 Stat. 647 (June 9, 1863), that is completely owned by the Nez Perce Tribe; hereby submits this Petition for Designation as an Eligible Telecommunications Carrier (ETC), pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (Act), for the purpose of receiving federal Universal Service support as a Competitive Eligible Telecommunications Carrier (CETC) within the Nez Perce Tribe's Reservation.

NPT-DTS Wireless is a service provided by the Nez Perce Tribe and this Petition is made by Resolution of the Nez Perce Tribal Executive Committee. Attached as Exhibit A is the Nez Perce Resolution NP13-110 authorizing this Petition. Grant of this Petition will significantly benefit the Nez Perce Tribe and residents of its Reservation by:

- (i) Enabling NPT-DTS Wireless to serve the communications needs of the Nez Perce Reservation by:
 - (a) Allowing a tribal service entity to provide services utilizing the existing infrastructure and resources of the NPT-DTS Wireless network;
 - (b) Allowing a tribally controlled service entity to offer reliable, affordable communication services to Nez Perce people as a priority objective over the objectives of non-tribal owned telecommunications carriers;
- (ii) Providing critical funding to enable build out and operation of essential telecommunication services across the Nez Perce Reservation; and
- (iii) Provide low income consumers with access to discounted telecommunications services tailored to individual defined needs.

The Nez Perce Tribe Department of Technology Services respectfully requests that the Commission expedite the process to approve this Petition.

- I. Nez Perce Department of Technology Services operates a Wireless telecommunications network providing services within portions of the Nez Perce Reservation.

- A. Nez Perce Tribe Department of Technology Services – Wireless
NPT-DTS Wireless is owned by the Nez Perce Tribe and has been providing telecommunications services over the past five years. Recently, the NPT-DTS Wireless network has expanded infrastructure and equipment enabling telecommunications services to serve identified underserved communities. The NPT-DTS Wireless telecommunications network enables subscribers to access Voice over Internet Protocol telephony. The network is providing jobs in the technical and retail sectors and offers a career path for Tribal members in telecommunications.

The Nez Perce Tribe's membership utilizes the rural/remote regions across the Nez Perce Reservation for collection of food; the government operations monitor fish, plant and wildlife populations; and public safety entities patrol the Reservation, there are large areas that lack basic communication availability. The NPT-DTS Wireless will provide the necessary wireless telecommunications services tailored to meet the needs of the Nez Perce people, employees, public safety entities and residents across the Nez Perce Reservation.

ETC designation is critical for the NPT-DTS Wireless; it will provide a necessary funding mechanism to facilitate continued expansion of infrastructure development and provide ongoing operational costs, while enabling affordable/reliable service delivery to Nez Perce Tribe Reservation residents. The NPT-DTS Wireless will focus on developing services (data, voice, emergency 911 and mobile access) to unserved and underserved regions within the Nez Perce Reservation.

- B. Nez Perce Tribe Department of Technology Services – Wireless Telecommunications
Nez Perce Tribe Department of Technology Services Wireless (NPT-DTS Wireless), was established in 2008 to meet the unmet telecommunication needs of tribal members in the community immediately adjacent to Tribal Headquarters in Lapwai, ID. Currently, the NPT-DTS Wireless network has 230 subscribers in this community. The recent infrastructure expansion funded by the US Dept. of Commerce Broadband Technology Opportunity Program grant has enabled telecommunications connectivity to an additional 4,096 subscribers and to local city and county governments, community libraries and public safety entities currently unserved or underserved within the Nez Perce Reservation. This network expansion project has constructed a 200 Mega bit per second (Mbps) licensed backbone with user service options starting with 3 Mbps with options up to 50 Mbps connection. The backbone includes fourteen towers sites and covers 12,000 square miles; the service will be offered in eight communities and across rural areas.

The Nez Perce Reservation is vast and topographically challenging making delivery of telecommunications infrastructure both financially and developmentally difficult. The Nez Perce Reservation includes four Idaho counties (Nez Perce, Lewis, Clearwater and Idaho).

Goals of the NPT-DTS Wireless include providing affordable, reliable communication infrastructure to tribal and non-tribal residents, businesses and community institutions within the Nez Perce Tribe Reservation; enhancing public safety communication capacity in regions currently unserved within the Reservation where tribal members utilize and where employees and public safety entities work, monitor or patrol; and promoting career path opportunity for tribal members in telecommunications technology and operations.

II. THE COMMISSION HAS REGULATORY JURISDICTION OVER THIS PETITION FOR ELIGIBLE TELECOMMUNICATIONS CARRIERS DESIGNATION

The Commission established a policy (FCC 00-207) documenting the unique relationship between the federal government and Tribal governments and recognizes Indian Tribes exercise inherent sovereign powers over their members and territory; and the rights of Indian Tribal governments to set their own communication priorities and goals. The Nez Perce Tribe is a federally recognized Tribe with a recognized government, determined to be eligible to receive services from the Department of Interior, Bureau of Indian Affairs (Federal Register Vol. 75, No. 190, October 1, 2010 page 60810 – 60814).

The NPT-DTS Wireless is a service provided under the Nez Perce Tribal government; and, is under the jurisdiction of the Nez Perce Tribe.

A. THE NEZ PERCE GOVERNMENT HAS INHERENT AUTHORITY OVER THE TELECOMMUNICATIONS AFFAIRS OF THE NEZ PERCE DEPARTMENT OF TECHNOLOGY SERVICES –WIRELESS NETWORK

The Nez Perce Tribe is a federally recognized Tribe, Article III of the Revised Constitution and Bylaws of the Nez Perce Tribe states that the “jurisdiction of the Nez Perce Tribe shall extend to all lands within the original confines of the Nez Perce reservation boundaries as established by treaty; and extra-territorial jurisdiction for the purposes of protecting the rights of the Nez Perce Tribe as guaranteed by treaties with the United States of America; and also to such other lands as may be hereafter acquired by or for the Nez Perce” Tribe.

Section 1 of Article VIII of the Revised Constitution and Bylaws of the Nez Perce Tribes states in part that the Nez Perce Tribal Executive Committee (NPTEC) shall have the power “to promote and protect the health, education, and general welfare of the members of the Tribe, and to administer welfare aid and such other services as may contribute to the social and economic advancement of the Tribe and its members”.

Section 2 of Article VIII also states that the NPTEC shall “engage in any business or other economic transaction that will further the economic development of the Tribe and its members” and “shall promulgate and enforce ordinances governing the conduct of all persons and activities within the boundaries of the Nez Perce Reservation and in the exercise of treaty rights on or off the Nez Perce Reservation”.

B. THE STATE DOES NOT HAVE JURISDICTION OVER THE NEZ PERCE DEPARTMENT OF TECHNOLOGY SERVICES WIRELESS

The Nez Perce Reservation lies wholly within the state of Idaho. As a tribally owned entity, NPT-DTS Wireless comes before this Commission for designation as an ETC. The Commission has exercised jurisdiction under 47 USC 214 (e)(6) and designated tribally owned telecommunications companies as ETC’s.

III. NEZ PERCE DEPARTMENT OF TECHNOLOGY SERVICES WIRELESS MEETS THE STATUTORY AND REGULATORY PREREQUISITES FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER ON THE NEZ PERCE RESERVATION

The Commission procedure for designation of Eligible Telecommunications Carrier, pursuant to Section 214(e)(1) of the Communications Act includes demonstration of the following services:

- be a common carrier;
- offer the supported services (single party service; voice grade access to the publically switched network; Dual Tone Multifrequency signaling; access to emergency services; and, toll limitation services for qualifying low income consumers);
- use its own facilities or a combination of its own facilities and resale of another carriers service;
- provide service throughout the designated service area; and,
- advertise the availability of its Universal Services and the charges therefore using media of general distribution.

A. NPT-DTS WIRELESS IS A COMMON CARRIER

The NPT-DTS Wireless will utilize its broadband backbone to provide single party service, voice grade access to the publicly switched network and access to emergency services throughout its requested designated service area. The NPT-DTS Wireless will be regulated as a common carrier. Therefore, the Nez Perce TS-Wireless meets the ETC requirement of common carrier.

B. NPT-DTS WIRELESS OFFERS THE SERVICES SUPPORTED BY FEDERAL UNIVERSAL SERVICE SUPPORT MECHANISM ON ITS OWN FACILITIES

The NPT-DTS Wireless network currently offers broadband connectivity that enables utilization of Voice over Internet Protocol telephony. The VoIP technology meets the criteria set forth in 47 USC Section 214(e)(1)(A) requiring an ETC offer voice telephony services supported by federal universal service support mechanisms either using its own facilities or a combination of its own facilities and resale of another carriers services.

- Voice grade access to the publicly switched network – the ability to transmit and receive voice communications with bandwidth of 3,500 Hertz. NPT-DTS Wireless meets this requirement; its wireless broadband network enables subscriber access to VoIP telephony service.
 - Single party service Or its functional equivalent – a dedicated message path for the length of a users' particular transmission. NPT-Wireless meets this requirement by providing a unique connection and internet protocol address for each user to its broadband backbone network.
 - Local usage – an amount of minutes of use provided free of charge. NPT-DTS Wireless meets this requirement by providing an amount of local usage free of charge in each universal service rate plan.
 - Dual tone multi-frequency signaling or its functional equivalent – a method of signaling that facilitates the transportation of signaling through the network. The NPT-DTS Wireless meets this requirement; its wireless broadband service
-

enables subscriber access to VoIP telephony, which offers switching to facilitate transport of signaling through the network.

- Access to emergency services – includes access to services, such as 911 and enhanced 911, provided by local governments or other public safety organizations. NPT-DTS Wireless meets this requirement; its wireless broadband service offers subscribers VoIP telephony, which meet Enhanced 911 service obligations
- Access to operator services – access to any automatic or live assistance to a consumer to arrange for billing or completion, or both of a telephone call. NPT-DTS Wireless meets this requirement; through VoIP telephony operator services are available.
- Access to interexchange service – enables access to an interexchange carriers network. NPT-DTS Wireless meets this requirement; its wireless broadband service offers subscriber access to VoIP telephony, which enables access to interexchange carrier networks.
- Access to directory assistance – access to a service that includes, but is not limited to, making available to consumers, upon request, information in directory listings. NPT-DTS Wireless meets this requirement; its wireless broadband service offers subscriber access to VoIP telephony, which enable access to directory assistance.
- Qualifying low income consumers – rate control. The NPT-DTS Wireless service has established a rate control policy for qualifying low income consumers regarding connectivity rates to its broadband network.

C. NPT-DTS WIRELESS OFFERS SERVICES SUPPORTED BY FEDERAL UNIVERSAL SERVICE SUPPORT MECHANISM ON CONTRACTED FACILITIES

To meet the established criteria set forth in 47 USC Section 214(e)(1)(A) of the Communications Act including toll limitations the NPT-DTS Wireless has established a partnership with Washington RSA #8 Limited Partnership, dba Inland Cellular. The identified services will become available on the NPT-DTS Wireless through a Memorandum of Understanding (Exhibit E) to facilitate service delivery between the Nez Perce Tribe and Washington RSA #8 Limited Partnership.

- Toll limitation for qualifying low income consumers – toll control and/or blocking. To meet the full intent of toll limitation the NPT-DTS Wireless has entered into a partnership with Washington RSA #8 Limited Partnership to expand voice offering to include mobile voice access, which will include toll limitation to qualifying low income consumers through the Lifeline service offering in accordance with 47 CFR Subpart E 54.400-417.

D. NPT-DTS WIRELESS WILL PROVIDE THE SUPPORTED SERVICES THROUGHOUT THE ETC SERVICE AREA

NPT-DTS Wireless commits to provide the supported services throughout its designated service area, the Nez Perce Reservation, consistent with applicable requirements, including 47 CFR 54.202 – Additional Requirements for Commission Designation of Eligible Telecommunications Carriers.

The NPT-DTS Wireless network currently covers the vast majority of the Reservation, in the areas where the current line of sight technology is not available the NPT-DTS Wireless commits to modify or replace the requesting consumer equipment; deploy roof mounted antenna; if possible adjust the nearest network configuration; arrange to resell another carriers facilities to provide service; or, construct, lease or employ additional network equipment to reach the consumers; NPT-DTS Wireless will provide service throughout its designated service area to all customers; and, Service will be provided in a timely manner.

E. NPT-DTS WIRELESS ADVERTISES THE AVAILABILITY OF SERVICE OFFERINGS AND CHARGES USING MEDIA OF GENERAL DISTRIBUTION

The NPT-DTS Wireless commits to advertise the availability of and charges for its network services utilizing the local media and with promotional materials distributed through appropriate events that take place across the Nez Perce Reservation.

Print Media: Display advertisements and targeted promotional announcements will be placed in local newspapers (*Ta'c Titooqan* – monthly Nez Perce Tribe newspaper; *Lewiston Morning Tribune* – daily regional newspaper; *Clearwater Progress* and *Clearwater Tribune* – local community weekly newspapers)

Radio: Announcements on KIYE-FM the Nez Perce radio station as well as regional radio stations

Informational Posters and Flyers: Distribution of posters and flyers will target public health facilities, social service organizations, senior centers, public libraries and Community Centers

Direct Mail: Direct information distributed to Nez Perce Tribal membership, residences and businesses across the Reservation

F. NPT-DTS WIRELESS WILL OFFER LIFELINE SERVICE TO QUALIFYING LOW INCOME CONSUMERS

Through the Memorandum of Understanding with Washington RSA #8 Limited Partnership, NPT-DTS Wireless will make Lifeline rate structures available to qualified low income consumers. Low income consumers are increasingly subscribing to wireless services. Lifeline is recognized and valued as an opportunity to provide the telecommunications needs of Nez Perce Tribal members and other qualifying residents across the Nez Perce Reservation.

The NPT-DTS Wireless is a certified Universal Service Provider for School and Libraries provider, currently offering E-Rate service to schools and libraries.

G. NPT-DTS WIRELESS EXISTING AND PROPOSED FIVE YEAR BUILD OUT PLAN FOR ITS ETC SERVICE AREA

Attached as Exhibit B is a display of the NPT-DTS Wireless existing network and a confidential 5 year build out plan. The build out plan focuses on expansion of the

wireless telecommunications network to provide coverage in areas currently unserved and where tribal members, employees and public safety entities gather, hunt, work, recreate and patrol.

H. NPT-DTS WIRELESS WILL BE ABLE TO FUNCTION IN EMERGENCY SITUATIONS

The NPT-DTS Wireless network is built with redundancy at each site through routing and switching technology to insure the telecommunications network is on line in emergency situations. Backup power supply units are located at each tower site facility.

The network control is managed remotely through a central facility that monitors network traffic and dispatch technicians when necessary.

I. NPT-DTS WIRELESS CONSUMER PROTECTION AND QUALITY SERVICE STANDARDS

Pursuant to 47 CFR 54.202(a)(3), the NPT-DTS wireless will comply with established consumer protection and service quality standards (CTIA 2011).

J. NPT-DTS WIRELESS OFFERS USAGE PLANS COMPARABLE TO THOSE OFFERED BY INCUMBENT CARRIER(S)

There are four (4) Incumbent Local Exchange Carriers (ILEC's) offering service across the Nez Perce Reservation: Century Link, Frontier Communications, Inland Telephone and TDS. No one carrier offers service across the entire Reservation.

The NPT-DTS Wireless service offering will be comparable to those offered by the ILEC's and mobile carriers. It is likely that NPT-DTS Wireless plans will be more attractive to local consumers because wireless customers utilizing NPTE-TS Wireless will benefit by having greater convenience and mobility.

K. NPT-DTS WIRELESS ACKNOWLEDGES THAT IT MAY BE REQUIRED TO PROVIDE EQUAL ACCESS

The NPT-DTS Wireless acknowledges that, pursuant to 47 CFR Section 54.202(a)(5) it could be required to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.

IV. NPT-DTS WIRELESS's REQUESTED ETC SERVICE AREA IS THE TRADITIONALLY RECOGNIZED RESERVATION OF THE NEZ PERCE TRIBE

The Nez Perce Tribe requests a designated service area that includes the area within the boundaries of the traditionally recognized Reservation of the Nez Perce people (1863 Treaty). To this day, and as provided by treaty right, the Nez Perce people fish, hunt and gather food and traditionally significant materials from the Reservation; Tribal Fish, Wildlife and Cultural Resource employees work and monitor targeted populations and resources within the bounds of the Reservation; and public safety (tribal and non-tribal) entities patrol within the bounds of the Reservation. These activities make providing telecommunications connectivity to the areas across the Reservation currently unserved a priority goal for NPT-DTS Wireless.

Attached as Exhibit C is a map documenting the boundaries of the Nez Perce Reservation, which represents the NPT-DTS Wireless requested ETC service area, and service areas of existing providers. The following telephone companies offer services within the NPT-DTS Wireless ETC service area:

- (i) Century Link
- (ii) Frontier Communications
- (iii) Inland Telephone
- (iv) TDS Telecom

Each of the existing service providers serves a portion of the Nez Perce Reservation; the NPT-DTS Wireless will serve the entire Nez Perce Reservation.

V. GRANT OF THIS PETITION WILL SERVE THE PUBLIC INTEREST

Grant of this Petition will provide significant benefits to the Nez Perce Tribe, its people and the non-tribal member residents of the Reservation. By enabling the NPT-DTS Wireless, a tribally owned telecommunications provider to serve the communications needs of the Tribe, residents and employees. ETC designation will provide critical funding to facilitate expansion of essential telecommunication services across the Nez Perce Reservation and provide low income consumers with access to discounted telephone service.

A. BENEFITS OF NPT-DTS WIRELESS SERVING THE COMMUNICATIONS NEEDS OF THE NEZ PERCE RESERVATION

The NPT-DTS Wireless is uniquely positioned to facilitate wide scale expansion of a telecommunications network across the Nez Perce Reservations; building onto the Reservation wide telecommunications network infrastructure recently constructed. The existing network and partnerships will be leveraged to address the coverage capacity in unserved areas of concern for the safety and wellbeing of tribal members, employees and public safety entities.

ETC funding will enable the Nez Perce Tribe to implement this large scale expansion and support ongoing operational costs, while enabling Lifeline service to qualified low income consumers. Network build out will offer increased career path job opportunities to Nez Perce people and the affordable, reliable widespread telecommunications service expansion will improve the lives of all residents across the Reservation through expanded economic development opportunity and access to global marketplaces.

B. BENEFITS OF INCREASED COMPETITION

Although there are multiple ILEC's across the Nez Perce Reservation, there is no overlap in service area, which results in no competitive advantage for consumers; they have no choice. In rural, high cost areas such as the Nez Perce Reservation the NPT-DTS Wireless ETC designation will offer consumers a choice; the resulting option(s) will likely incentivize incumbent companies to improve offerings to maintain competitiveness. The increase in competition will result in quality services at reasonable rates and drive innovative uses of technology to improve services offered.

In 47 USC 254 (b)(3) "Consumers in all region of the Nation, including low income consumers and those in rural, insular, and high costs areas, should have access to telecommunications and information services, including interexchange services and advances telecommunications and information services, that are reasonable comparable to those services provided in urban areas and that are available at rates charged for similar services in urban areas."

In 47 USC 214 (e)(6) "... the Commission may, with respect to an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service are designated under this paragraph..."

The NPT-DTS Wireless is poised to continue expanding service area of coverage as an ETC by building onto its broadband infrastructure; and, as a tribal service entity NPT-DTS Wireless will deliver a consumer need(s) focused, reliable and affordable communications network.

C. THE NEZ PERCE TRIBAL GOVERNMENT SUPPORTS NPT-DTS WIRELESS ETC PETITION

NPT-DTS Wireless is a service provided by the Nez Perce Tribal government, and this Petition is made by Resolution of the Nez Perce Tribal Executive Committee. Attached as Exhibit A is the Nez Perce Resolution NP13-110 authorizing this Petition. Grant of this Petition will significantly benefit the Nez Perce Tribe and residents of its Reservation.

D. NPT-DTS WIRELESS HAS A PLAN TO BECOME A FULL SERVICE TELECOMMUNICATIONS CARRIER

The NPT-DTS Wireless network provides a redundant backbone of 200 Mbps in licensed frequency across the Nez Perce Reservation, which is used by consumers to access VoIP for telephony service.

To meet the established criteria set forth in Section 214(e)(6) of the Communications Act including access to toll limitations the NPT-DTS Wireless has entered into a partnership with Washington RSA #8 Limited Partnership. The identified mobile services will become available on the NPT-DTS Wireless through a Memorandum of Agreement of service delivery between the Nez Perce Tribe and Washington RSA #8 Limited Partnership.

VI. CERTIFICATION FOR USE OF UNIVERSAL SERVICE FUNDS

NPT-DTS Wireless certifies, in accordance with 47 USC 254(e), it will only use federal high cost universal support for the provision, maintenance, and to upgrade facilities and services for which the support is intended. NPT-DTS Wireless' high-cost certifications pursuant 47 CFR § 54.313(a), 54.314(a), 54.809, and 54.904 are attached as Exhibit D.

REDACTED - FOR PUBLIC INSPECTION

It is requested that the Commission provide NPT-DTS Wireless with a supplemental certification for NPT-DTS Wireless' use of universal service support regarding this new ETC designation.

VII. ANTI DRUG ABUSE ACT CERTIFICATION

The Nez Perce Tribe hereby certifies that neither the applicant nor any party (as defined in 47 CFR §1.2002(b) to this Petition is subject to denial of Federal Benefits, that include FCC benefits, pursuant Section 5301 of the Anti-Drug Abuse Act of 1988, 21 USC § 862 because of conviction for possession or distribution of a controlled substance.

CONCLUSION

The Nez Perce Tribe Department of Technology Services - Wireless respectfully requests the Commission designate it as an Eligible Telecommunications Carrier for the purpose of receiving federal universal service support across the Nez Perce Tribe Reservation. The NPT-DTS Wireless has demonstrated the technical and managerial capacity to provide universal service and Lifeline service across the Nez Perce Reservations.

REDACTED - FOR PUBLIC INSPECTION -

FEB 08 2013

EXHIBIT A: Nez Perce Tribe Resolution NP 13-110 supporting the Nez Perce Department Technology Services-Wireless Petition for Eligible Telecommunications Carrier designation

NP 13-110

RESOLUTION

WHEREAS, the Nez Perce Tribal Executive Committee has been empowered to act for and on behalf of the Nez Perce Tribe, pursuant to the Revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commissioner of Indian Affairs on June 27, 1961; and

WHEREAS, the Nez Perce Tribe (Tribe) is a federally recognized Indian Tribe that provides essential government services on and adjacent to the Nez Perce Reservation;

WHEREAS, the Tribe has an interest in expanding its telecommunication network coverage area and service delivery offerings; and

WHEREAS, the Federal Communications Commission (FCC) regulates Eligible Telecommunications Carriers (ETC) and designation as an ETC would enable reimbursement from the Universal Service Fund and establish eligibility for the FCC Mobility Fund Auction; and

WHEREAS, the FCC is accepting petitions for ETC designation to enable Tribes to be eligible for Mobility Fund Auctions; and

WHEREAS, the Tribe's Technology Services Department is pursuing the FCC Mobility Fund Auction as a mechanism to fund network coverage and service delivery options.

NOW, THEREFORE, BE IT RESOLVED, that the Nez Perce Tribal Executive Committee (NPTEC) hereby authorizes the submission of petition to the FCC to designate it as an ETC and application to the Mobility Fund; and

BE IT FINALLY RESOLVED, that the NPTEC Chairman and Secretary are hereby authorized to sign all necessary correspondence and the NPTEC Treasurer is hereby authorized to disburse funds accordingly.

REDACTED - FOR PUBLIC INSPECTION

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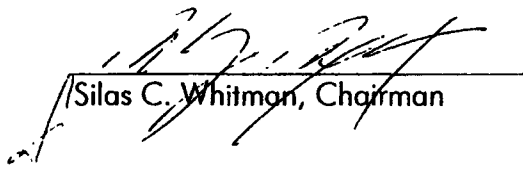
NP13-110

CERTIFICATION

The foregoing resolution was duly adopted by the Nez Perce Tribal Executive Committee meeting in Regular Session, December 11, 2012 in the Richard A. Halfmoon Council Chambers, Lapwai, Idaho, a quorum of its Members being present and voting.

BY: 
Allen P. Slickpoo, Jr., Secretary

ATTEST:



Silas C. Whitman, Chairman

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[REDACTED]

[REDACTED]

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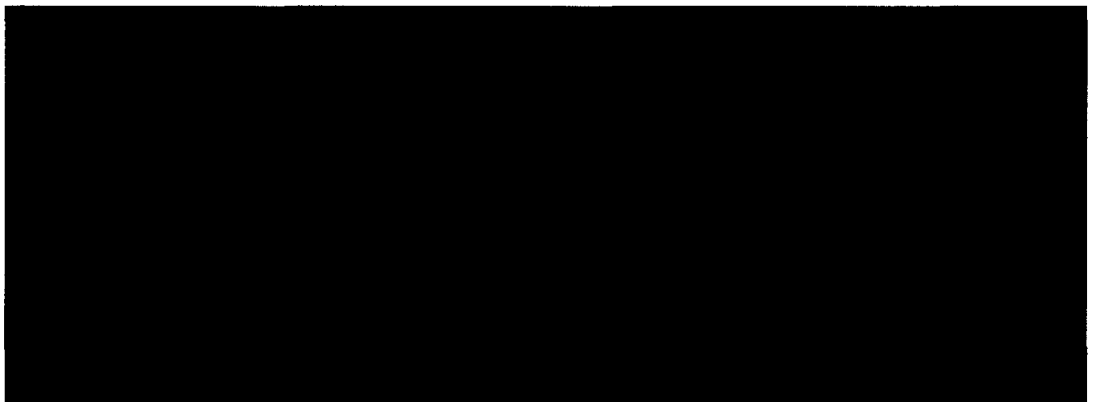
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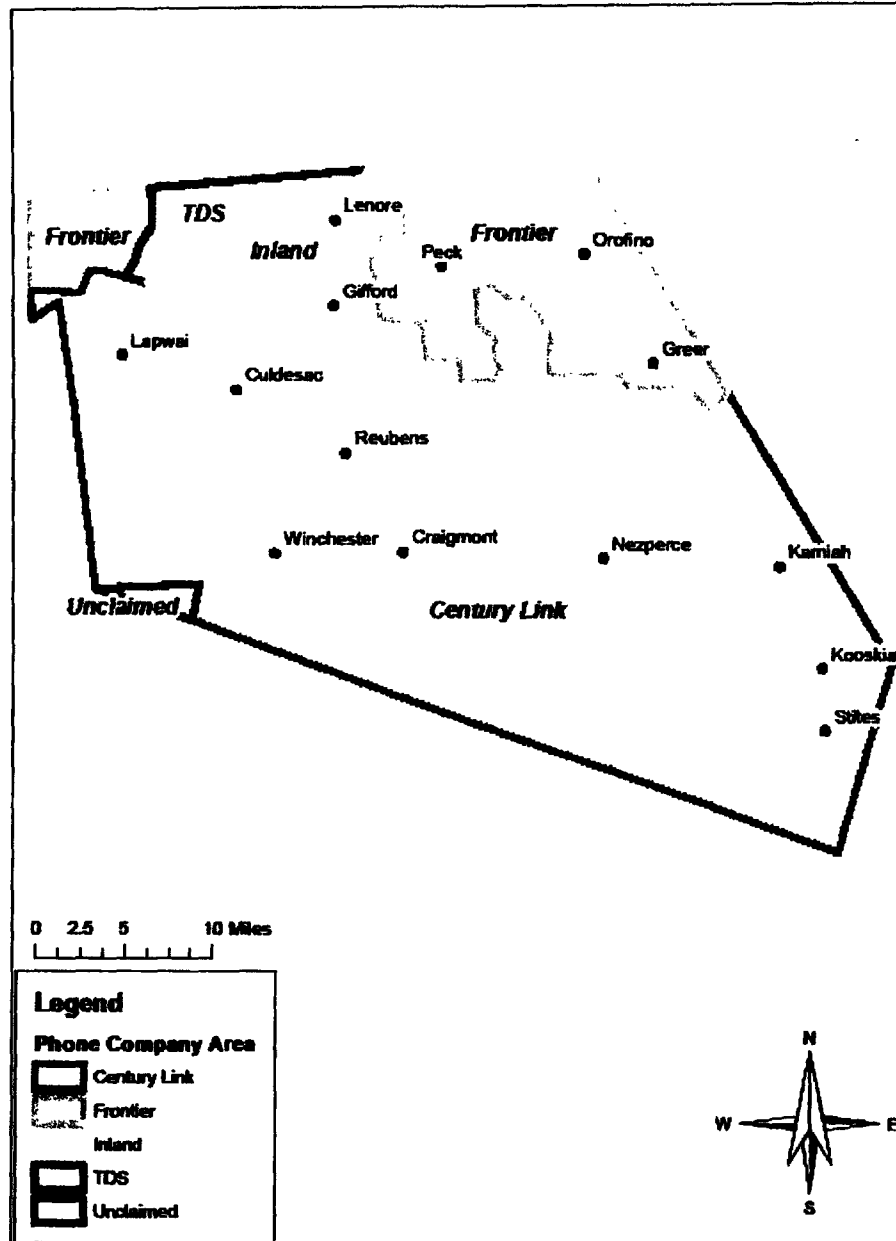
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EXHIBIT C: Nez Perce Tribe Reservation and Telephone Company Service area Map

Phone coverage on the Nez Perce Reservation



This map is not a legal document. It is a map of the Nez Perce Reservation and is not intended to be used for legal purposes. The map is for informational purposes only and does not contain any survey data. The map is not intended to be used for legal purposes. The map is for informational purposes only and does not contain any survey data. The map is not intended to be used for legal purposes. The map is for informational purposes only and does not contain any survey data.

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EXHIBIT D: High Cost Universal Service Certification

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December 12, 2012

TO: Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Karen Majcher
Vice President, High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street NW, Suite 200
Washington, DC 20036


RE: Docket No 96-45
Non Rural Use High Cost Support

Annual Certification Filing Pursuant to 47 CFR § 54.313

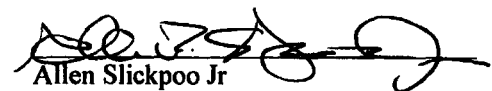
This letter serves as certification that the Carrier, 'Nez Perce Tribe Department of Technology Services Wireless' will use non-rural and/or rural high cost support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Per Section 254(e) support will be explicit and sufficient to achieve its purpose.

We are authorized to make this certification on behalf of the Nez Perce Tribe. This certification is for the study area encompassing the Nez Perce Reservation, within the state of Idaho.

Signed,




Silas Whitman
Chairman

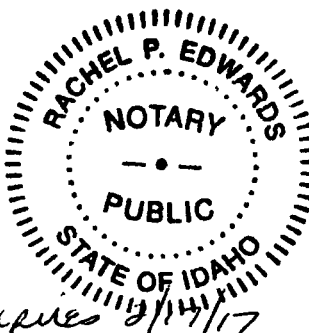


Allen Slickpoo Jr
Secretary

Subscribed and sworn to before me
This 17th day of December, 2012



Notary Public *My Commission expires 2/14/17*



Date Received
(For official use only)

FEB 08 2013

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EXHIBIT E: [REDACTED]

[REDACTED]

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FEB 08 2013

FCC Mail Room

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

License ID 82540

[REDACTED]

[REDACTED]

[REDACTED]

REDACTED - FOR PUBLIC INSPECTION

Received & Inspected

FEB 08 2013

FCC Mail Room

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]